

**Road Traffic Act 1988, Section 158; Road Traffic**

**Accidents (Payments for Treatment) Order 1995**

**PRACTICE POLICY STATEMENT**

Under the Road Traffic Act 1988, the first doctor providing emergency treatment to the victim of a road traffic accident is entitled to charge a fee. A fee may be levied in respect of each person treated (Section 158(2) of the Road Traffic Act 1988).

NHS funding does not cover the emergency treatment of road traffic accident (RTA) victims and GPs can charge a fee of **£21.30** for each patient consulted. This fee is payable regardless of whether or not the patient is registered with the practice.

Patients are advised that this fee is payable at the time of the consultation and that they can reclaim the fee from the driver’s insurance company. This is their legal right that is laid down in statute.

The BMA advises that, since there may be a delay before injuries become apparent, anyone seen within one working day can be deemed an emergency.

Where the purpose for attending a GP surgery is to record injuries for future medico-legal purposes this is not covered by the Road Traffic Act and the GPs may charge their own rate for this work.

**Source:**

BMA Professional Fees Committee

[www.bma.org.uk](http://www.bma.org.uk)